

Message Text

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53

ACTION NEA-12

INFO OCT-01 EUR-25 ADP-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 IO-13 AID-20 OMB-01 RSR-01 /138 W

----- 095239

R 161144Z JUL 73

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 085

INFO AMEMBASSY DACCA

AMEMBASSY THE HAGUE

AMCONSUL KARACHI

AMCONSUL LAHORE

AMEMBASSY LONDON

AMEMBASSY NEW DELHI

LIMITED OFFICIAL USE ISLAMABAD 5740

E.O. 11652: N/A

TAGS: PFOR, PK, IN, BG

SUBJ: GOP WITHDRAWS REQUEST TO ICJ FOR RESTRAINING

ORDER AGAINST INDIA

REF: ISLAMABAD 4469

SUMMARY: GOP HAS WITHDRAWN ITS REQUEST TO INTERNATIONAL COURT OF JUSTICE FOR INTERIM ACTION RESTRAINING INDIA FROM TRANSFERRING POWS TO DACCA FOR TRIAL. PAKS HAVE DENOUNCED AS UNTRUE ALLEGED INDIAN CLAIM THAT ICJ REJECTED ORIGINAL GOP REQUEST. ACCORDING SENIOR FOREIGN MINISTRY OFFICIAL, ICJ HAS FIXED OCTOBER 1 DEADLINE FOR PAK SUBMISSION IN CASE AND DECEMBER 15 FTX INDIAN REPLY. END SUMMARY

1. GOVERNMENT-CONTROLLED PRESS JULY 16 CARRIED ASSOCIATED PRESS PAKISTAN ITEM REPORTING THAT, ACCORDING "AUTHORITATIVE SOURCES" IN ISLAMABAD, GOP
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HAD VOLUNTARILY WITHDRAWN ITS REQUEST TO ICJ FOR INTERIM

INSTRUCTIONS TO INDIA TO REFRAIN FROM TURNING OVER ANY
PAK POWS TO BANGLADESH FOR TRIAL PENDING FINAL ICJ
DECISION ON INDIA'S RIGHT TO DO SO. GOP HAS INSTEAD
ASKED COURT TO RULE DIRECTLY ON QUESTION OF ITS
JURISDICTION WITHOUT BOTHERING ABOUT INTERIM RESTRAINING
ACTION. APP ARTICLE STATED THAT ORIGINAL GOP REQUEST FOR
ICJ RESTRAINING ACTION AGAINST INDIA HAD BEEN DROPPED
BECAUSE GOP FELT IT WAS NO LONGER NECESSARY IN VIEW
SCHEDULING OF INDO-PAK TALKS FOR JULY 24.

2. SAME APP REPORT ALSO QUOTES "AUTHORITATIVE SOURCES"
AS DENOUNCING ALLEGED ALL-INDIA RADIO CLAIM THAT ICJ
HAD REJECTED GOP REQUEST FOR INTERIM RESTRAINING ACTION
AGAINST INDIA. SOURCES EXPRESSED "SURPRISE AND REGRET"
THAT OFFICIAL ORGAN OF GOI WOULD INDULGE IN SUCH "FALSE
AND HOSTILE PROPAGANDA" IN VIOLATION SIMLA AGREEMENT.

3. ACTING FONSEC ALTAF SHAIKH, IN JULY 16 MEETING
WITH CHARGE, CONFIRMED GOP ACTION RE ICJ. HE ADDED THAT
ICJ HAD SET OCTOBER 1 AS DEADLINE FOR GOP TO FILE ITS
MEMORIAL ON PAK APPLICATION WITH REGARD ICJ JURISDICTION
IN TRIALS OF PAK POWS UNDER GENOCIDE CONVENTION, WHILE
INDIA WOULD BE GIVEN UNTIL DECEMBER 15 FOR ITS COUNTER-
MEMORIAL. SHAIKH EXPECTED FOREGOING TO BE ANNOUNCED
BY ICJ SAME DAY.
SANDERHOFF

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Message Attributes

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Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 JUL 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Drafter: n/a
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Executive Order: N/A
Errors: N/A
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ISecure: 1
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Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

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